REMARKS

This paper is responsive to the Office Action mailed May 18, 2007. Claims 1, 40-46, and 109-124 were examined. Claims 2-39 and 47-99 have been withdrawn from consideration. Claims 1, 40, 44, 109, 110, 113, 114, 117, 118, and 122 have been amended. Applicant requests reconsideration of the claims and allowance of the application.

Interview Summary

Prior to discussing the Office Action and the patentability of the claims, the undersigned counsel wishes to thank Examiner Bartley and Examiner Patel for the time and consideration they extended in a personal interview conducted August 30, 2007. In summary, the interview focused on proposed amendments to the claims and the patentability of the claims over the cited art (Wilson and McGuire). At the conclusion of the interview, the undersigned counsel agreed to formally submit the present amendment for further consideration.

Information Disclosure Statements

The Office Action alleged various defects in the information disclosure statements filed to date, and thus indicated that none of the cited references have been considered. As discussed during the interview, it appears the IFW scanner at the U.S. Patent and Trademark Office made mistakes when scanning the first two information disclosure statements. The first IDS, stamped received by OIPE on September 17, 2001, included a certificate of mailing confirming submission of a PTO Form 1449, along with copies of 37 cited references. The second IDS, stamped received by OIPE on July 1, 2002, included a certificate of mailing confirming submission of a PTO Form 1449, along with a copy of one cited reference. Applicant submits that the information disclosure statements were properly filed and that it was a mistake on the part of the Office to fail to make the references available to the Examiner for consideration. To assist the Office with correcting this mistake, applicant submits herewith replacement copies of the PTO Form 1449 and references for both of these information disclosure statements. Payment

of a fee should not be required for consideration of these references since both of these information disclosure statements were properly filed prior to the first Office Action on the merits.

As to the third IDS (stamped received by OIPE on February 5, 2005), the fourth IDS (electronically submitted October 9, 2006), and the fifth IDS (electronically submitted December 18, 2006), the Office Action alleged that they lacked a statement under Rule 97 and/or a fee, and thus the references were not considered. During the interview, this was acknowledged to be a mistake. Each of these information disclosure statements was properly received prior to the first Office Action on the merits and thus neither IDS required a statement under Rule 97 nor a fee. The initial restriction requirement mailed May 19, 2004, does not constitute an action on the merits (see MPEP 609.04(b)(I)(A) and MPEP 810). The first Office Action on the merits did not issue until May 18, 2007. Applicant requests consideration of the references cited in each of these information disclosure statements.

Double Patenting

Claim 1 was provisionally rejected under 35 U.S.C. § 101 for double patenting with respect to Claim 1 of copending Application No. 11/514,714. Applicant notes that the claims in the '714 application will be amended thus rendering moot this provisional double patenting rejection.

Patentability of Claims 1, 40-46, and 109-124 Over Wilson and McGuire

Claims 1, 40-46, and 109-124 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wilson (US 5,864,827) in view of McGuire ("FIXML Set for Launch," Wall Street & Technology). Applicant respectfully traverses the rejection and requests reconsideration of the claims.

Wilson does not teach or suggest "a method of facilitating trading on a platform supporting multiple processes, wherein the platform is a computer system on which the multiple

processes are executing," and wherein the method includes "simultaneously executing on the platform at least two market processes having respective market methodologies, wherein each of the market processes provides a distinct and separate market at which trades can be executed." For an overview of an embodiment illustrated in the present application, attention is drawn to FIGURE 1 and corresponding text at page 4, line 5, to page 7, line 7 of the specification as filed.

At best, Wilson teaches a gateway 1 that provides for the transfer of information between financial markets 16, 18, 20, 22, and customers 2, 4, as well as broker 6. See, e.g., Figure 1 and the Abstract. The gateway has a processor that allegedly receives transaction information from a customer in a first format, converts it to a second format, and transmits the transaction information to a financial market. The processor likewise allegedly receives an acknowledgment and transaction confirmation from the financial market in the second format, converts these to the first format, and transmits the acknowledgment and the transaction confirmation to the customer. See *id*. While the gateway 1 is able to communicate with separate financial markets 16, 18, 20, 22, the gateway does not constitute a platform on which at least two market processes having respective market methodologies are simultaneously executed, wherein each of the market processes provides a distinct and separate market at which trades can be executed.

Wilson also fails to teach or suggest "automatically enabling at least two trading processes to trade with each other at the market processes according to the respective market methodologies, wherein the trading processes are executing on the same platform as the market processes." To the extent the customer systems 4 can be considered "trading processes", Wilson nowhere describes the customer systems 4 as executing on the same platform as the market processes. Indeed, the customer systems 4 need the gateway 1 as a intermediary to translate communications exchanged with the financial markets 16, 18, 20, 22.

Applicant submits that Wilson does not teach or suggest the elements recited in Claim 1 and McGuire does not overcome the deficiencies of Wilson. Thus, Claim 1 should be allowed.

Additionally, Claims 40-46 should be allowed, both for their dependence on Claim 1 and for the additional subject matter they recite.

Claims 109-116 (system claims) and 117-124 (computer-accessible medium claims) should be allowed for reasons similar to those discussed above with respect to Claims 1 and 40-46.

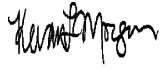
With the patentability of Claims 1, 40-46, and 109-124, applicant further requests rejoinder and allowance of withdrawn Claims 2-39 and 47-99.

CONCLUSION

Applicant requests withdrawal of the claim rejections and issuance of a notice of allowance. Should the Examiner identify any additional matters needing resolution prior to allowance, the Examiner is invited to contact the undersigned counsel by telephone.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS PLLC



Kevan L. Morgan
Registration No. 42,015
Direct Dial No. 206.695.1712

KLM:jmb

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100